



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8
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Phone 800-227-8917
<http://www.epa.gov/region08>

JUL 26 2004

Ref:8ENF-RC
CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Douglas E. McAllister
Vice President, General Counsel
& Secretary - ASARCO, Inc.
2575 E. Camelback Road
Suite 500
Phoenix, AZ 85016-4240

Re: Richardson Flat Superfund Site
Allocation of Past Costs

Dear Mr. McAllister:

The purpose of this letter is to inform you that the Environmental Protection Agency (Agency) is developing an allocation of liability and initiating cost recovery negotiations with ARCO, Noranda, and United Park City Mines in the matter of the Richardson Flat Superfund site (Site). This allocation and cost recovery effort deals specifically with past costs incurred by the Agency at the Site.

The Richardson Flat Tailings site is located near Park City, Utah. ASARCO once owned and/or operated this Site. The Agency has incurred past costs in the amount of \$607,294.89 in association with cleanup of the Site, and is now seeking to recover these costs prior to the initiation of remedial action. I, and my attorney, Richard Baird, are providing each liable party the opportunity to speak with us individually regarding payment of past costs rather than engaging in a multi-party allocation and negotiation process. This approach is being used largely due to the extensive efforts that have already been made by the parties to address issues of apportionment of liability and payment of cleanup costs at the Site.

We invite you ASARCO to contact us to discuss this matter further during the week of August 16th. To set a date and time convenient for all of us, you may reach me daily at 303-312-6402, or you may contact my attorney, Richard Baird, at 303-312-6642. Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Maureen O'Reilly".

Maureen O'Reilly,
Enforcement Specialist



cc: G. Phoebe, ENF-RC
J. Christiansen, EPR-SA
P. Churchill, EPR-SA
R. Baird, Esq., ENF-L